Civics

Judicial Branch (Chapter 9) Study Guide

Directions: Study the following information to prepare yourself for the test over the Judicial Branch.

1. Role of the Federal Courts:
   a. 2 main jobs
      i. Ensure laws are fairly enforced/Treat everyone equally
      ii. Interprets the laws
   b. Hears two types of cases
      i. Criminal Cases
      ii. Civil Cases

2. Origin of the Federal Court System:
   a. Under Articles of Confederation there was no national court system
      i. States had own laws and own courts
   b. Article III of the Constitution created the Supreme Court
      i. Congress had the power to create the lower courts (Judiciary Act 1789)
         1. Created district courts and circuit courts

3. Dual Court System:
   a. Federal Court- cases involving federal laws, power from the U.S. Constitution, and most judges appointed for life
      i. Tenure?
   b. State Court- cases involving state laws, power from state constitution, judges appointed for set terms or elected

4. Federal Court Jurisdiction:
   a. What is Jurisdiction?
   b. Types of jurisdiction:
      i. Exclusive
      ii. Concurrent
      iii. Original
      iv. Appellate
   c. Cases heard in federal court versus cases heard in state court

5. The Lower Courts:
   a. Federal Court System is made up of three (3) levels:
      i. District Court- Lowest level, original jurisdiction, determines the facts of the case, and has a Judge and Juries
      ii. Circuit Court- level between district and U.S. Supreme Court, appellate jurisdiction, panel of 3 judges (usually), and reviews cases from lower courts for fairness
         1. Total of 13 circuit courts
         2. Who may appeal a case?
b. Rulings:
   i. Circuit court decision is known as a ruling
      1. What is a ruling?
      2. Three ways judges can decide a case?
         a. Affirm/ uphold the result
         b. Reverse the result
         c. Remand the case

c. Opinions and Precedents:
   i. Significance of both Opinions and Precedents?

6. Principles of the Legal System:
   a. Court may not initiate action
   b. Judge or justice may not seek out an issue
   c. Court must wait of litigants (parties to a lawsuit) to come before them

7. Federal Court Judges:
   a. Process of becoming a judge
      i. President nominates a candidate and the Senate must confirm his decision
   b. Federal Judges appointed for life
      i. Reason for vacancies: resigns, retires, dies
   c. Tenure?

8. The Supreme Court:
   a. Lots of cases appealed to the Supreme Court, but fewer than 1% accepted
   b. Have Appellate and Original Jurisdiction
      i. Original Jurisdiction in two cases?
      ii. Appellate Jurisdiction- Final Authority on all appeal cases
   c. Made up of 9 Justices: 1 chief justice and 8 associate justices
   d. Qualifications: there are no constitutional qualifications
   e. Congress sets the number of justices (form of checks and balances)
   f. Main function of the Supreme Court is Judicial Review, what is it?
   g. Landmark Cases:
      i. Marbury v. Madison- Power of Judicial Review
      ii. Dred Scott v. Sandford- African Americans cannot become U.S. Citizens, was overturned in 1868 by the 14th Amendment
      iii. Plessy v. Ferguson- established “separate but equal” doctrine
      iv. Brown v. Board of Education- Overturned Plessy v. Ferguson, declaring segregation in public schools unconstitutional
   h. The process:
      i. Writ of Certiorari
      ii. Briefs
      iii. 30 minutes to hear arguments
      iv. Conference behind closed doors
         1. 1st discussion
2. Votes/ majority rule decides case

v. Opinions
   1. Unanimous
   2. Majority
   3. Concurring
   4. Dissenting